



UNITED STATES DEPARTMENT OF COMMERCE
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#13

In re Application of
Thomas Musial

:
: Decision on Petition
:

This is in response to the petition for access, filed January 28, 1999, seeking access to a provisional application filed by Thomas Musial on or about August 1, 1997.

The petition is granted-in-part and dismissed-in-part.

A member of the public may be entitled to access if "special circumstances" are shown which warrant a grant of access under 35 U.S.C. § 122. See Manual of Patent Examining Procedure (MPEP), Section 103. A demonstrated ownership interest is one basis for permitting access to an application. Petitioner has submitted a copy of an assignment document wherein Mr. Musial assigned his interest in a provisional application for an illuminated golf ball and thereby has demonstrated an ownership interest in such application.

A search of Office computer records, however, reveals that no application other than 09/086,393 has been filed which identifies Mr. Musial as an inventor of an invention with "Golf Ball" or "Illuminated Golf Ball" in the title. Accordingly, the petition is granted to the extent that petitioner is given the information that no application exists and dismissed to the extent that there is no application to which access can be given.

Any correspondence with respect to this matter should be addressed as follows:

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